

REQUEST FOR COUNCIL ACTION

MEETING
DATE: 03-03-03

197

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-10
ITEM DESCRIPTION: Annexation Petition #03-03 by Arcon Development, Inc. to annex approximately 19.35 acres of land located west of 18 th Avenue SW (CR 147), west of Hart Farms Subdivision, north of 40 th Street SW. The property is located in the North Half of the SW ¼ of Section 22 of Rochester Township.		PREPARED BY: Theresa Fogarty, Planner

February 27, 2003

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission reviewed this annexation request on February 26, 2003. The Commission found that this property can be served by City services upon extension of gravity sanitary sewer that is available to serve a portion of this property and the water lines from their present end. The Planning Commission therefore recommends approval of this request.

Ms. Petersson moved to recommend approval of Annexation Petition #03-03 by Arcon Development. Mr. Burke seconded the motion. The motion carried 7-0.

Planning Department Recommendation:

See attached staff report, dated February 18, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2002 is \$63.03.

Council Action Needed:

1. **Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.**

Attachments

1. Staff report, dated February 18, 2003.
2. Draft Copy of the minutes of the February 26, 2003, CPZC meeting

Distribution:

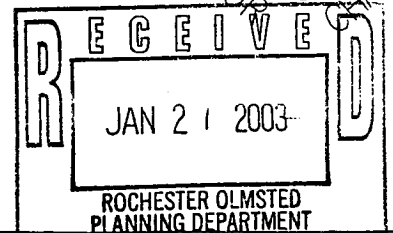
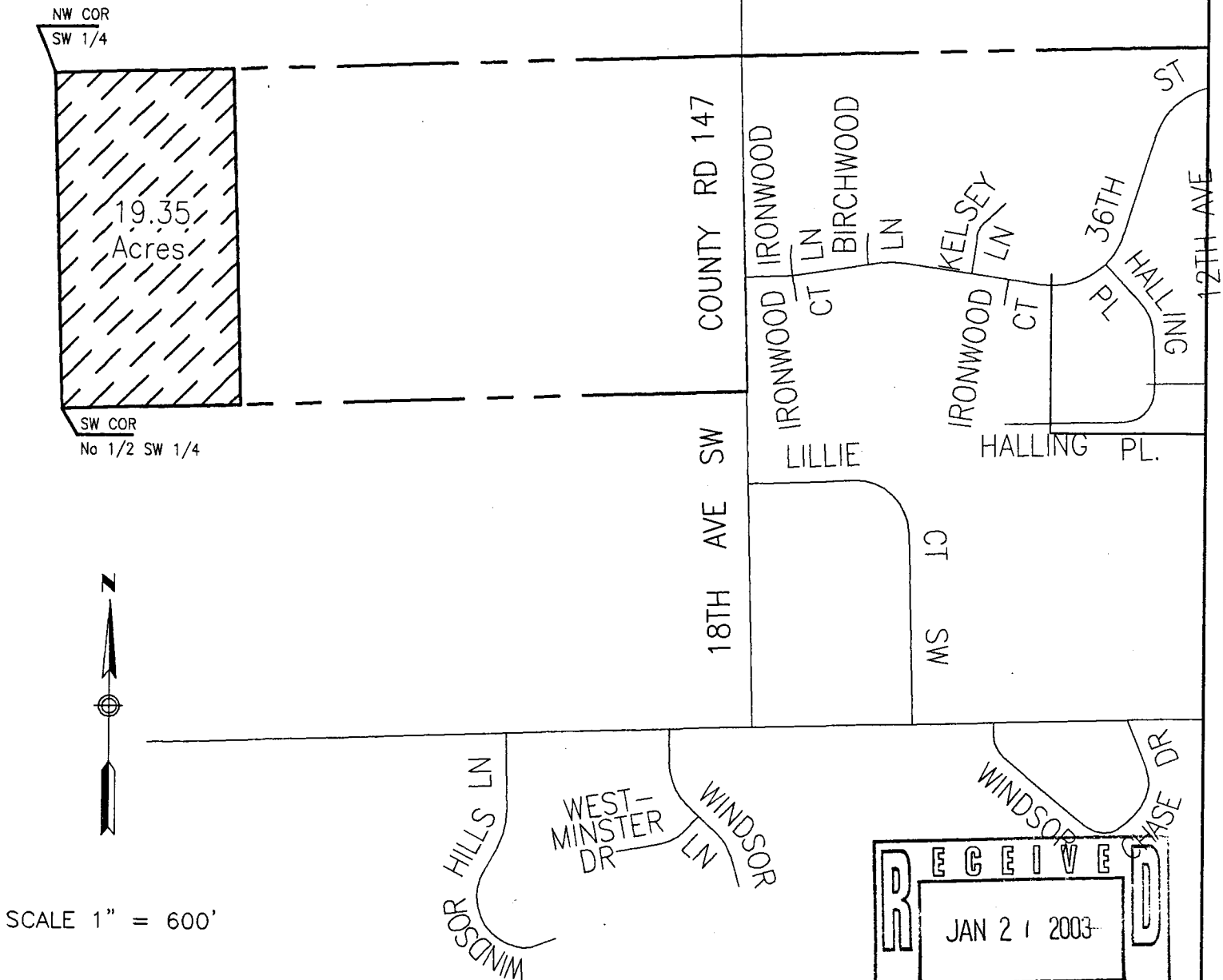
1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Monday , March 3, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. McGhie & Betts, Inc.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

ANNEXATION EXHIBIT

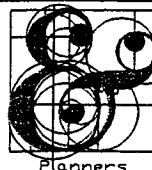
DESCRIPTION:

THE NORTH HALF OF THE SOUTHWEST
QUARTER SECTION 22, TOWNSHIP 106 NORTH,
RANGE 14 WEST, OLMSTED COUNTY, MINNESOTA.
LESS THE EAST 1983.72 FEET THEREOF.
CONTAINING 19.35 ACRES MORE OR LESS.



FOR:
Arcon Development
7625 Metro Blvd.
Suite # 350
Edina, MN 55439

McGhie
Consulting Engineers



Betts, Inc.
Land Surveyors

1648 3rd AVE. S.E. Rochester, MN. 55904 507-289-3919

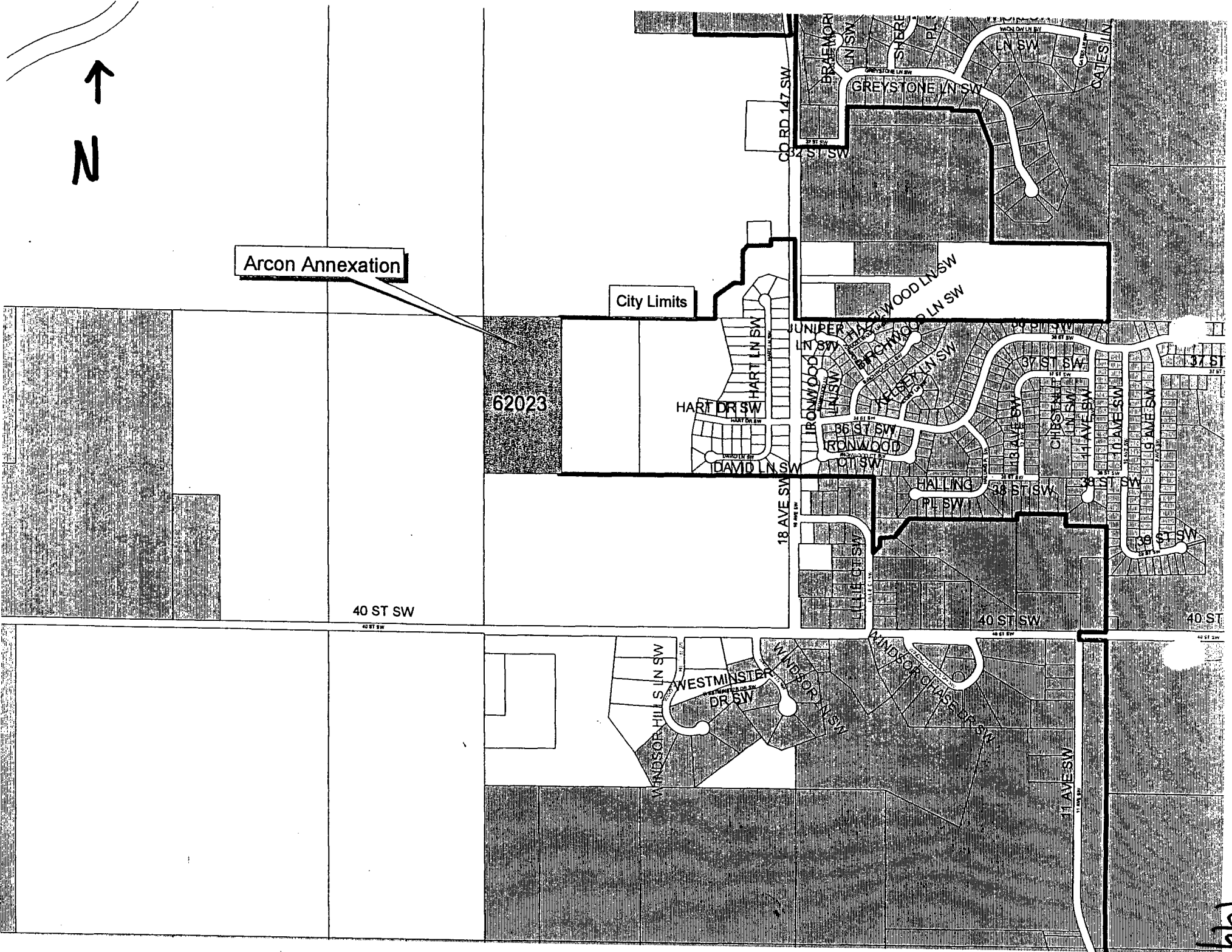
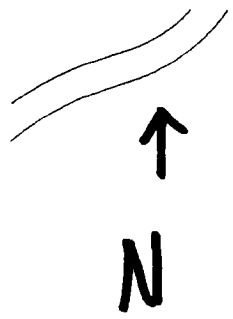
SCALE: 1" = 600'

DRAWN BY: KLC

DATE: 1/20/03

ACCT. NO.: 1209/2255

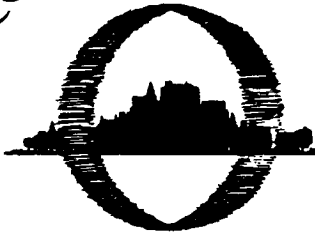
CADD NO.: 2255ANNX



200

ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744



COUNTY OF
Olmsted



TO: City Planning and Zoning Commission

FROM: Theresa Fogarty, Planner

DATE: February 18, 2003

RE: Annexation Petition #03-03 by Arcon Development, Inc. to annex approximately 19.35 acres of land located west of 18th Avenue SW (CR 147), west of Hart Farms Subdivision, north of 40th Street SW. The property is located in the North Half of the SW ¼ of Section 22 of Rochester Township.

Planning Department Review:

Applicants/Owners:	Arcon Development, Inc. 7625 Metro Boulevard, Suite 350 Edina, MN 55439
Consultant / Engineer:	McGhie & Betts, Inc. 1648 Third Avenue SE Rochester, MN 55904
Location of Property:	The property is located west of 18 th Avenue SW (CR 147), west of Hart Farms Subdivision, north of 40 th Street SW.
Existing Land Use:	This property is currently undeveloped land.
Size:	The property proposed for annexation is approximately 19.35 acres of unplatted land.
Existing Zoning:	The property is zoned A-3 (Agricultural) District on the Olmsted County zoning map.
Future Zoning:	Upon annexation, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map.
Land Use Plan:	The property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.
Adjacency to the Municipal Limits:	The property is adjacent to the city limits along its eastern boundary.

BUILDING CODE 507/285-8213 • GIS/ADDRESSING/MAPPING 507/285-8232 • HOUSING/HRA 507/285-8224

PLANNING/ZONING 507/285-8232 • WELL/SEPTIC 507/285-8345

FAX 507/287-2275

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER



201 -

Sewer & Water:

This area is within the South West High Level Water System Area, which is currently available within the Hart Farm Subdivision area to the east.

Gravity Sanitary Sewer is not currently available to serve the entire property.

Utilities:

Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

Townboard Review:

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on March 3, 2003. The City Clerk has sent the certified 30 day notice.

Referral Comments:

1. Rochester Public Utilities - Water Division
2. Rochester Public Works

Report Attachments:

1. Annexation Map
2. Location Map
3. Referral Comments (2 letters)

Staff Recommendation:

This property is adjacent to the City limits and can be served by city services upon extension of gravity sanitary sewer that is available to serve a portion of this property and water lines from their present ends. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).

202



February 4, 2003

Rochester-Olmsted
CONSOLIDATED PLANNING DEPARTMENT
2122 Campus Drive SE
Rochester, MN 55904-7996

REFERENCE: Annexation Petition #03-03 by Arcon Development, Inc. to annex 19.35 acres of land located within the Hart Farm GDP.

Dear Ms. Garness:

Our review of the referenced petition is complete and our comments follow:

1. The property may be subject to the water availability fee, connection fees or assessments. The Land Development Manager (507-281-6198) at the Public Works Department determines the applicability of these fees.
2. This area is within the Southwest High Level Water System Area, which is currently available within the Hart Farm Subdivision area to the east.
3. We will work with the applicant's engineering firm to develop the necessary water system layout to serve this area.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

A handwritten signature in black ink that reads 'Donn Richardson'.

Donn Richardson
Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention
Arcon Development
McGhie & Betts, Inc.

203

ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

Date: 2/14/03

The Department of Public Works has reviewed the requested application for Annexation #03-03 on the Arcon Development (p/o Hart Farm) property. The following are Public Works comments on the proposal:

1. Gravity Sanitary Sewer is not currently available to serve the entire property.

204

Draft Minutes of the City Planning & Zoning Commission
Date of Hearing: February 26, 2003

ANNEXATION:

Annexation Petition #03-03 by Arcon Development, Inc. to annex approximately 19.35 acres of land located west of 18th Avenue SW (CR 147), west of Hart Farms Subdivision, north of 40th Street SW . The property is located in the North Half of the SW ¼ of Section 22 of Rochester Township.

Ms. Petersson moved to recommend approval of Annexation Petition #03-03 by Arcon Development, Inc. Mr. Burke seconded the motion. The motion carried 7-0.